

Message Text

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ACTION L-03

INFO OCT-01 AF-10 ARA-16 EUR-25 EA-11 NEA-10 IO-13 ADP-00

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00

NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-15 COA-02 EB-11

JUSE-00 ACDA-19 AEC-11 AGR-20 COME-00 DOTE-00 FMC-04

INT-08 NSF-04 OMB-01 TRSE-00 RSR-01 SCI-06 CEQ-02

EPA-04 /247 W

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R 241450Z AUG 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 1386

INFO USMISSION USUN NY

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

AMEMBASSY KATHMANDU

AMEMBASSY LONDON

AMEMBASSY VIENNA

AMEMBASSY ANKARA

AMEMBASSY CARACAS

AMEMBASSY MOSCOW

AMEMBASSY NAIROBI

AMEMBASSY SINGAPORE

AMEMBASSY YAOUNDE

AMEMBASSY SANTIAGO

AMEMBASSY NICOSIA

C O N F I D E N T I A L SECTION 1 OF 2 GENEVA 4577

E.O. 11652: GDS

TAGS: PBOR, UN

SUBJ: CONTACT GROUP MEETING AUGUST 21, MORNING

1. CHAIRMAN OPENED MEETING BY SUMMARIZING PAST DISCUSSION
SAYING SOME DELEGATIONS HAD EXPRESSED THE VIEW AGREEMENT
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SHOULD FIRST BE REACHED ON AN EXCLUSIVE ECONOMIC ZONE

BEFORE DEALING WITH RIGHTS AND DUTIES OF STATES WITHIN THE ZONE WHILE OTHER DELEGATIONS WISHED TO DEAL WITH RIGHTS AND DUTIES FIRST. HE NOTED THAT THE GEOGRAPHICALLY DIS-ADVANTAGED STATES SAID THEY COULD NOT ACCEPT EXCLUSIVE COASTAL STATE JURISDICTION TO THE EDGE OF THE MARGIN IN ANY CASE. HE RECOMMENDED THAT WE MOVE TO ORGANIZATIONAL QUESTIONS SINCE IT SEEMED THE CONTACT GROUP HAD REACHED AN IMPASSE ON THE POLITICAL ISSUES.

2. ICELAND INTERVENED TO MAKE A BRIEF STATEMENT ON THE ZONE INDICATING THEY FAVORED PRINCIPLE THAT COASTAL RESOURCES BELONGED TO COASTAL STATE BUT THAT CERTAIN LIMITATIONS COULD BE IMPOSED ON COASTAL RIGHTS INCLUDING NON-INTERFERENCE WITH NAVIGATION AND CERTAIN RIGHTS FOR NEIGHBORING LDCS. HE POINTED OUT THAT THE OPPOSING VIEW WOULD REQUIRE SO MANY LIMITATIONS ON COASTAL RIGHTS IN A ZONE AS TO UNDERCUT BASIC PRINCIPLE ITSELF AND CONSEQUENTLY THERE WAS BASIC DILEMMA WHICH CANNOT BE SOLVED HERE.

3. NEPAL FELT THAT CONTACT GROUP WAS USEFUL IN CREATING ATMOSPHERE THAT COULD LEAD TO EVENTUAL SETTLEMENT AND THUS WE SHOULD CONTINUE DISCUSSIONS. HE STATED THAT RIGHTS OF LANDLOCKED STATES ON HIGH SEAS BEYOND 12 MILES MUST BE ACCOMMODATED SO THAT DEVELOPING LANDLOCKED STATES COULD TAKE ADVANTAGE OF THOSE RIGHTS IN FUTURE.

4. FRANCE STATED THAT POLITICAL DISCUSSIONS HAD MADE NO PROGRESS SINCE FEW DELEGATIONS HAD BEEN WILLING TO SPEAK AND SUGGESTED THAT INTERESTED DELEGATIONS COULD EXCHANGE VIEWS INFORMALLY OUTSIDE CONTACT GROUP.

5. THE US (STEVENSON) ENCOURAGED DELS TO SPEAK WHO HAD NOT DONE SO TO DATE BUT NOTED IMPORTANCE OF DEALING WITH ORGANIZATIONAL QUESTIONS SOON. HOWEVER, HE STATED POSITION THAT COASTAL STATE ECONOMIC JURISDICTION MUST INCLUDE LIMITATIONS ON COASTAL RIGHTS AND THAT IT WAS BEST TO DISCUSS SPECIFIC DIFFERENCES ON THOSE POINTS. HE NOTED US AGREEMENT WITH EXCLUSIVE RIGHTS OVER SEABED RESOURCES AS LONG AS CERTAIN LIMITATIONS WERE INCLUDED AND STATED
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US FAVORED COASTAL STATE RIGHTS OVER CERTAIN LIVING RESOURCES BUT NOT ALL.

6. CHAIRMAN INDICATED DESIRE TO MOVE ON TO ORGANIZATION OF WORK SETTING UP BASIC ISSUES FOR DISCUSSION. FIRST ISSUE WOULD BE STRUCTURE OF CONFERENCE INCLUDING NUMBER AND FUNCTIONS OF VARIOUS COMMITTEES WHILE SECOND WOULD DEAL WITH RULES AND PROCEDURES, PARTICULARLY VOTING.

IN GENERAL, HE RECOMMENDED FOLLOWING ORGANIZATION OF VIENNA CONFERENCE ON TREATIES AND STATED THAT SUGGESTION TO POSSIBLY KEEP SEABED COMMITTEE STRUCTURE WOULD NEED CLOSE ATTENTION SINCE MORE COMMITTEES MIGHT BE NECESSARY. ON PROCEDURES HE NOTED IMPORTANCE OF KEEPING CONSENSUS AS LONG AS POSSIBLE AND RECOMMENDED THAT VOTING TAKE PLACE ONLY AFTER DECISION OF GENERAL COMMITTEE OF CONFERENCE. FINALLY, HE NOTED HIS VIEW THAT CONFERENCE DRAFTING COMMITTEE SHOULD NOT HAVE POWER TO INITIATE TEXTS BUT SHOULD ONLY BE ABLE TO ATTEMPT TO RECONCILE DIFFERENCES.

7. UK RAISED PRELIMINARY ISSUE AS TO WHETHER COMMITTEE MEMBERS FELT SUFFICIENT PROGRESS HAD BEEN MADE TO RETAIN CONFERENCE TIME TABLE OR WHETHER FURTHER PREPARATORY WORK WAS NECESSARY. HE STATED HIS VIEW THAT WORK WAS ADEQUATE AND IN PARTICULAR SUBCOMMITTEES I AND III HAD DONE WELL ALTHOUGH SUBCOMMITTEE II WAS SOMEWHAT DISAPPOINTING.

8. AUSTRIA RECOMMENDED PROCEEDING WITH CONFERENCE WITH POSSIBILITY OF SETTING UP SPECIAL BODY AT CONFERENCE TO HEAR GENERAL STATEMENTS BY NEW DELEGATIONS.

9. TURKEY INDICATED STRONGLY CONFERENCE SCHEDULE SHOULD BE MAINTAINED EVEN IF FURTHER PREPARATORY WORK WERE TO BE DONE IN THE INTERIM AND OPPOSED AUSTRIAN SUGGESTION OF SEPARATE SESSIONS FOR NEW MEMBERS.

10. VENEZUELA SAID SCHEDULE SHOULD BE MAINTAINED ALTHOUGH IT MIGHT BE NECESSARY HAVE SOME FURTHER WORK DONE ON SUBCOMMITTEE II ITEMS. REP RECOMMENDED CHAIRMAN OF SUBCOMMITTEE II, ALINDO POHL, SHOULD PREPARE PAPER
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BEFORE UNGA SESSION WHICH WOULD CLASSIFY EXISTING TEXTS ON SUBCOMMITTEE II ITEMS SO THAT GOVERNMENTS COULD SEE RANGE OF OPTIONS AVAILABLE. HE STRESSED THIS WOULD BE ONLY MECHANICAL FUNCTION AND HE SAW NO NEED FOR FURTHER FORMAL SESSION OF SEABED COMMITTEE. FINALLY HE POINTED OUT THAT CONFERENCE ITSELF SHOULD MAKE FINAL DECISIONS IN FALL ON NEED FOR FURTHER PREPARATORY WORK.

11. SOVIET UNION MADE A STRONG INTERVENTION INDICATING THEIR BELIEF THAT THE SEABED COMMITTEE HAD NOT FULFILLED ITS MANDATE AND HAD NOT EVEN BEGUN TO REACH POLITICAL COMPROMISES. SOVIET REP SAID PRESENT STAGE OF PREPARATIONS WOULD NOT LEAD TO A SUCCESSFUL CONFERENCE AND THAT IF FURTHER PREPARATORY WORK TO BE DONE IT SHOULD MOVE

TOWARD CONCILIATION AND NOT DRAFTING OF ALTERNATIVE TEXTS.
HE SAID SEABED COMMITTEE SHOULD MAKE NO RECOMMENDATIONS
TO GENERAL ASSEMBLY BUT THAT HE NOT OPPOSED TO UNGA
SCHEDULING FURTHER PREPARATORY WORK.

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JUSE-00 ACDA-19 AEC-11 AGR-20 COME-00 DOTE-00 FMC-04

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R 241450Z AUG 73

FM USMISSION GENEVA
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AMEMBASSY PARIS
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C O N F I D E N T I A L SECTION 2 OF 2 GENEVA 4577

12. IRAQ, SPEAKING ALSO ON BEHALF OF SINGAPORE, FAVORED
MOVE TO CONFERENCE AND BEGINNING OF MAKING POLITICAL

DECISIONS WHICH COULD NEVER BE MADE IN PREPARATORY COMMITTEE.

13. KENYA AND CAMEROON AGREED WITH IRAQ AND STATED IT CONFIDENTIAL

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WAS TIME TO MOVE TO CONFERENCE STAGE OF OUR WORK EVEN THOUGH MORE THAN ONE CONFERENCE SESSION MIGHT BE NECESSARY. KENYA REP SAID SEABEDS COMMITTEE SHOULD NOT MEET AGAIN SINCE GOVERNMENTS AND REGIONAL GROUPS WOULD NEED TIME TO WORK AND CONSIDER ALL PROPOSALS.

14. CHILE REITERATED ITS AVAILABILITY AS CONFERENCE HOST EITHER AT SCHEDULED TIME OR LATER, BUT POINTED OUT IT WOULD NOT WANT SANTIAGO SESSION TO DO PREPARATORY WORK. HE SAID SANTIAGO SESSION MUST AT LEAST WORK ON BASIC POLITICAL AGREEMENTS EVEN IF ALL FINAL TEXTS COULD NOT BE PRODUCED. HE FELT SUBCOMMITTEE I AND III HAD ADEQUATE TEXTS FOR LAYING OUT POLITICAL OPTIONS BUT THAT SUBCOMMITTEE II PREPARATION WAS CHAOTIC. IF FURTHER PREPARATORY WORK WERE NOT DONE ON SUBCOMMITTEE II ISSUES, CONFERENCE WOULD FAIL AND WORK TO CODIFY LAW OF SEA WOULD BE SET BACK TEN YEARS. HE SUPPORTED SUGGESTION OF VENEZUELA TO HAVE SUBCOMMITTEE II CHAIRMAN PREPARE WORKING PAPER LAYING OUT OPTIONS OF SUBCOMMITTEE II ISSUES AND RECOMMENDED PAPER BE SUBMITTED TO A TWO TO THREE DAY SESSION OF SEABED COMMITTEE IN NEW YORK THIS FALL. HE ALSO NOTED POSSIBILITY THAT CHAIRMAN AMERASINGHE COULD PREPARE SUCH A PAPER AND ENCOURAGED REGIONAL GROUPS AND DELEGATIONS WITH SIMILAR POSITIONS TO CONSULT TO NARROW RANGE OF OPTIONS. HE STATED THAT ONLY AFTER THIS WORK WAS COMPLETED COULD THE CONFERENCE DECIDE ON QUESTION OF FURTHER PREPARATORY WORK EITHER BY SEABEDS COMMITTEE OR BY AN EARLY SESSION OF CONFERENCE ITSELF.

15. CYPRUS AND COLOMBIA SUPPORTED STATEMENT OF IRAQ AND SUPPORTED POSSIBILITY OF WORKING PAPER BEING PREPARED BY GALINDO POHL OR AMERASINGHE.

16. SOVIET UNION AGAIN INTERVENED TO STATE ITS VIEW THAT PREPARATORY WORK WAS NOT COMPLETE AND THAT CONFERENCE SHOULD NOT GO FORWARD. THEY NOTED SYSTEM OF VOTING AT CONFERENCE WOULD NOT SOLVE PROBLEMS SINCE A CONVENTION ADOPTED BY VOTE WOULD NOT BE WIDELY RATIFIED AND WOULD NOT BECOME INTERNATIONAL LAW.
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17. CHAIRMAN IN SUMMARY INDICATED IT WAS SENSE OF GROUP TO MAINTAIN CONFERENCE SCHEDULE WHILE UTILIZING INTERVENING TIME TO IMPROVE QUALITY OF PREPARATORY WORK. HE SAID IT WAS GENERALLY AGREED UNGA SHOULD MAKE FINAL DECISIONS ON SCHEDULE AND NEED FOR PREPARATORY WORK.

18. SOVIET UNION INTERVENED AGAIN TO STATE IT DID NOT AGREE WITH MAINTAINING CONFERENCE SCHEDULE AND IT WAS NOT READY TO AGREE THAT GALINDO POHL SHOULD PREPARE WORKING DOCUMENT.

19. TURKEY AGAIN NOTED IT BELIEVED PREPARATORY WORK WAS ADEQUATE BUT ALSO OPPOSED INFORMAL WORK BY GALINDO POHL.

20. CHAIRMAN SAID IF SUBCOMMITTEE II CHAIRMAN OR ANY OTHER DELEGATIONS WISHED TO DO INFORMAL WORK THEY COULD NOT BE PREVENTED FROM DOING SO AND THAT ANY DECISIONS ON POSSIBILITY OF A FURTHER MEETING OF SEABED COMMITTEE WOULD HAVE TO BE MADE AT UNGA IN NEW YORK. HE DECLARED THIS DISCUSSION CLOSED AND INDICATED THAT WE WOULD GO ON TO ORGANIZATIONAL QUESTIONS AT NEXT MEETING.

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